UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

MONSANTO COMPANY, and)	
MONSANTO TECHNOLOGY LLC)	
)	
Plaintiffs,)	
)	Case No. 4:09-cv-00686 (ERW)
v.)	
)	
E.I. DUPONT DE NEMOURS AND)	
COMPANY and PIONEER HI-BRED)	
INTERNATIONAL, INC.,)	
)	
Defendants.)	

MONSANTO'S FOR RECONSIDERATION OF THE COURT'S JUNE 7, 2011 ORDER ON MONSANTO'S MOTION FOR EXTENSION OF TIME

Plaintiffs Monsanto Company and Monsanto Technology LLC (collectively "Monsanto") respectfully move for reconsideration of the Court's ruling on Monsanto's motion for extension of time of the supplemental production deadline. (Dkt. #781.) Monsanto is appreciative of the Court providing additional time in its Order and has worked diligently over the past several days to avail itself of that extension. Monsanto wishes to advise the Court, however, that it has been advised by its technical consultants that there is a possibility that Monsanto may not be able to complete its production by the current deadline of Monday, June 13th due to technical issues with the electronic processing of documents.

Monsanto has made great progress in its production efforts. Its attorneys have completed their review of all the documents collected from the five additional custodians, and Monsanto will shortly be producing over 35,000 documents, estimated at this time to consist of roughly a million pages. The possible delay concerns the technical process of converting the electronic documents into a format that can be produced to Defendants. Once an electronic document is

identified as responsive and non-privileged, technical consultants must convert the document

from its current format into what is known as a "TIFF" file format. The converted document

then must be reloaded into the database and stamped with bates numbers and confidentiality

designations before they can be produced. Monsanto's technical consultants have advised that

given the current, slower-than-expected rate of conversion and the remaining volume to be

converted, this process may not be completed by Monday, June 13th despite working through the

weekend. Monsanto sought alternatives to speed up the conversion process. But the only

available solution is to retain additional third-party vendors, which would require the materials to

be pulled out the litigation support system and forwarded to several different vendors to speed

the production process. To accomplish this could add an *additional* \$45,000 to the already

substantial cost of the supplemental production.

Monsanto will use its best efforts to attempt to reach the June 13th deadline. However,

out of an abundance of caution and in order to avoid the need to file an emergency motion the

day the production is due, Monsanto requests the Court for a two-day extension to assure that

Monsanto can complete its production on time. 1 Monsanto has conferred with Defendants, and

they do not object to Monsanto's request.

Dated: June 10, 2011

¹ Alternatively, if the Court so desires, Monsanto is willing to provide the Court with a status update on Monday morning when it can better determine whether an extension is actually required.

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Respectfully submitted,

HUSCH BLACKWELL LLP

By: /s/ Joseph P. Conran
Joseph P. Conran, E.D.Mo. # 21635MO
joe.conran@huschblackwell.com
Omri E. Praiss, E.D.Mo. # 41850MO
omri.praiss@huschblackwell.com
Greg G. Gutzler, E.D.Mo. # 48893MO
greg.gutzler@huschblackwell.com
Tamara M. Spicer, E.D.Mo. # 54037MO
tamara.spicer@huschblackwell.com
Steven M. Berezney, E.D.Mo. # 56091MO
steve.berezney@huschblackwell.com
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105
(314) 480-1500 – telephone
(314) 480-1505 – facsimile

WINSTON & STRAWN LLP

Dan K. Webb dwebb@winston.com George C. Lombardi glombardi@winston.com Todd J. Ehlman tehlman@winston.com James M. Hilmert jhilmert@winston.com 35 W. Wacker Drive, Suite 4200 Chicago, IL 60601 (312) 558-5600 – telephone (312) 558-5700 – facsimile

John J. Rosenthal jrosenthal@winston.com Matthew A. Campbell macampbell@winston.com Jovial Wong jwong@winston.com 1700 K Street, N.W. Washington, DC 20006 (202) 282-5000 – telephone (202) 282-5100 – facsimile Gail J. Standish gstandish@winston.com 333 South Grand Avenue Los Angeles, CA 90071-1543 (213) 615-1700 – telephone (213) 615-1750 – facsimile

MCDERMOTT WILL & EMERY

Steven G. Spears sspears@mwe.com 1000 Louisiana Street, Suite 3900 Houston, TX 77002-5005 (713) 653-1700 – telephone (713) 739-7592 – facsimile Attorneys for Plaintiff Monsanto Company and Monsanto Technology LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was filed electronically with the Clerk of Court and served via the Court's ECF System to all attorneys of record as indicated, this the 10th day of June, 2011:

Andrew Rothschild, Esq. C. David Goerisch, Esq. Lewis, Rice & Fingersh, L.C. 600 Washington, Suite 2500 St. Louis, MO 63102

Leora Ben-Ami, Esq. Thomas F. Fleming, Esq. Christopher T. Jagoe, Esq. Howard S. Suh, Esq. Jeanna Wacker, Esq. Kaye Scholer LLP 425 Park Avenue New York, NY 10022

Donald L. Flexner, Esq. Hershel Wancjer, Esq. Cynthia Christian, Esq. Robert M. Cooper, Esq. Boies, Schiller & Flexner LLP 575 Lexington Avenue, 7th Fl. New York, NY 10022

James P. Denvir, Esq. Amy J. Mauser, Esq. Boies, Schiller & Flexner LLP 5301 Wisconsin Avenue, N.W. Washington, D.C. 20015

Attorneys for Defendants

/s/ Joseph P. Conran .